

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6391

BILL NUMBER: SB 415

NOTE PREPARED: Jan 28, 2010

BILL AMENDED:

SUBJECT: Discharge of Long-Term Inmates.

FIRST AUTHOR: Sen. Waterman

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that an inmate is eligible for rehabilitation-based discharge for long-term inmates if the inmate has served 21 years in the Department of Correction and has received 4 years of credit time.

Effective Date: July 1, 2009.

Explanation of State Expenditures: LSA identified 10 offenders who have been confined between 21 and 25 years who might be eligible for this program. (The amount of credit time that these offenders have is not known.)

Since this bill would affect a limited number of offenders, LSA used an annual cost of \$12,775 per offender to represent any potential savings. Since DOC adult facilities are generally at full capacity, a percentage of offenders are confined in county jails for part or all of their terms of incarceration. DOC pays county sheriffs \$35 per day for each offender who is sentenced for a felony. If fewer long-term offenders are in DOC facilities, DOC may be able to transfer more offenders to DOC facilities.

Number of Offenders		Annual Cost of Confinement in County Jail		Estimated Avoided Cost for DOC
10	x	\$12,775	=	\$127,750

Background – This section of statute applies to offenders who have been confined for more than 25

consecutive years. Under current law, the Parole Board reviews the sentence of offenders who have been incarcerated for 25 consecutive years and have not been convicted of a violent offense. The Parole Board must determine whether the inmate has been rehabilitated and has suitable plans that would warrant discharge from custody. As proposed, DOC must identify nonviolent offenders who have 21 years of consecutive incarceration and 4 years of credit time who may also be eligible for an early release.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: DOC; Parole Board

Local Agencies Affected:

Information Sources: DOC Offender Information System

Fiscal Analyst: Mark Goodpaster, 317-232-9852.